



PLANNING DIRECTOR'S HEARING AGENDA

WEDNESDAY, April 19, 2006

9:00 a.m.
City Council Chambers
City Hall

200 East Santa Clara Street
San Jose, California 95113-1905

Hearing Officers

Jean Hamilton, AICP, Principal Planner

Susan Walton, Principal Planner

**Joseph Horwedel, Acting Director
Planning, Building, and Code Enforcement**

NOTE

To arrange an accommodation under the Americans with Disabilities Act to participate in this public meeting, we ask that you call (408) 535-7800 (VOICE), 294-9337 (TTY) at least two days, (48 hours) before the meeting. If you requested such an accommodation and have not already identified yourself to the technician seated at the staff table, please do so now. If you did not call in advance and do now need assistance, please see the technician.

NOTICE TO THE PUBLIC

Good morning, this is the Planning Director's Hearing of **April 19, 2006**. My name is _____ and I am the Hearing Officer for today's agenda. On behalf of the Planning Director, I would like to welcome you to this Public Hearing. Please remember to turn off all cell phones and pagers. A copy of the agenda is available on the table by the door for your convenience. A validation machine is available up the stairs at the rear of these chambers for parking tickets for the garage underneath City Hall.

The procedure for this hearing is as follows:

- Hearing Officer will identify the project as described on the agenda
- Staff report
- After the staff report, applicant and/or representative will have up to 5 minutes to speak and should make themselves known as their item comes up by approaching the microphone and identifying themselves and stating their home address, or just wave from the audience if you do not wish to speak
- Public testimony of up to 2 minutes, either for or against the project. Please state name and home address for the record
- After the public testimony, the applicant may make closing remarks of up to 5 minutes
- The Hearing Officer may ask questions of the speaker
- The public hearing will then be closed and the Hearing Officer will take action on the item. The Hearing Officer may request staff to respond to the public testimony, ask staff questions, and discuss the item

If you challenge these land use decisions in court, you may be limited to raising only those issues you or someone else raised at this public hearing or in written correspondence delivered to the City at, or prior to, the public hearing.

The Planning Director's action on these agenda items is final when the permit is signed and mailed, unless the permit is appealed. The Planning Director's actions are appealable in accordance with the requirements of Title 20 of the Municipal Zoning Code.

Note: If you have any agenda changes, please contact Gina Robles (gina.robles@sanjoseca.gov).

AGENDA

ORDER OF BUSINESS

1. DEFERRALS

Any item scheduled for hearing this morning for which deferral is being requested will be taken out of order, to be heard first on the matter of deferral. A list of staff recommended deferrals is available on the table. I will identify the items to be deferred and then ask for comments from the audience. If you want to change any of the deferral dates recommended or speak to the question of deferring these or any other items, you should say so at this time. I will now open the public hearing. The following items are proposed to be deferred.

The matter of deferrals is now closed.

2. CONSENT CALENDAR

NOTICE TO THE PUBLIC

The consent calendar items are considered to be routine and will be adopted by one motion. There will be no separate discussion of these items unless a request is made by the Director of Planning, staff, or the public to have an item removed from the consent calendar and considered separately. If anyone in the audience wishes to speak on one of these items, please come to the podium at this time.

- a. **SF05-037. Single Family House Permit** to allow a two story addition containing 1,326.9 square feet to an existing single family detached residence in the R-2 Two-Family Residence Zoning District, located at the north side of E. St. James Street approximately 50 feet west of N. 19th Street (891 E. ST. JAMES ST) (Munoz Zaragoza P And Ouida M, Owner). Council District 3. SNI: 13th Street. CEQA: Exempt.
- b. **PD06-005 & PT06-009. Planned Development Permit** to construct two attached and two detached single-family residences on 0.23 gross acre site in the R-M Multiple Residence Zoning District, located at/on the west side of South Cypress Avenue, approximately 400 feet southerly of Stevens Creek Boulevard (341 S CYPRESS AV) (Mirzadegan, Abdy; Farajollah And Naiier Ettefagh, Owners). Council District 1. SNI: None. CEQA: Exempt.
- c. **SP06-002. Special Use Permit** to legalize an existing 527-square-foot detached garage on a 0.10 gross acre site in the LI Light Industrial Zoning District, located at the west side of North 12th Street approximately 110 feet north of Madera Avenue (1013 N 12TH ST) (Jose Garibay, Owner). Council District 3. SNI: 13th Street. CEQA: Exempt.
- d. **SP06-014. Special Use Permit** for an 835-square-foot addition to an existing legal nonconforming single-family residence containing 744 square feet, for a total of 1,579 square feet in the CP Pedestrian Commercial Zoning District, located on the west side of East Court, approximately 200 feet north of East Julian Street (321 East Court) (Martinez Avelino and Teresa Trustee, Owner). Council District 3. SNI: Five Wounds/Brookwood Terrace. CEQA: Exempt.
- e. **TR06-038. Tree removal** for one (1) Redwood tree, 60 inches in circumference, located in the rear yard area of a single-family property in the R-1-8 Single-Family Residence Zoning District located at 1031 Craig Drive (David Liu, Owner). Council District 1. CEQA: Exempt.

The consent calendar is now closed.

3. PUBLIC HEARING

- a. **PD05-093. Planned Development Permit** request to construct one single-family detached residence on a 0.3 gross acre site in the CP(PD) Planned Development Zoning District, located on the north side of Elizabeth Street, approximately 200 feet easterly of Hope Street (Gross Robert J And Shelly C, Owner). Council District 4. SNI: None. CEQA: Exempt. **Deferred from 4/12/06.**
- b. **SP06-001. Special Use Permit** to install mill and lathe machine at the existing machine shop on a 3.69 gross acre site in the IP Industrial Park Zoning District, located on the north side of River Oaks Parkway, easterly terminus of Zanker Road and River Oaks Parkway (199 RIVER OAKS PY) (Applejack 199 Lp, Owner). Council District 4. SNI: None. CEQA: Exempt. **Deferred from 4/12/06.**
- c. The projects being considered are located on the north side of Villa Avenue, 150 feet easterly of Myrtle Street (969 Villa Avenue), in the A(PD) Planned Development Zoning District (LG DEVELOPERS LP, Owner/Developer). Council District 6. SNI: None. CEQA: Mitigated Negative Declaration. **Deferred from 4/12/06.**
1. **PD06-007. Planned Development Permit** to construct four single-family detached residences on a 0.37 gross acre site.
2. **PT06-013. Planned Development Tentative Map Permit** to subdivide 1 parcel into 5 lots for single family detached residential uses on a 0.37 gross acre site.
- d. **T05-097. Tentative Condominium Map Permit** to reconfigure 2 parcels into 36 lots for retail commercial condominium uses on a 3.95 gross acre site in the CP Pedestrian Commercial Zoning District, located on the south side of Quimby Road approximately 200 feet west of White Road (2850 Quimby Road) (Golden Bay Investment, Ltd, Owner). Council District 8. SNI: None. CEQA: Exempt.
- e. **TR05-166. Tree Removal Permit** for one Oak tree 75 inches in circumference previously removed without benefit of permit on a 1.3 gross acre site in the A(PD) Planned Development Zoning District, located at 7196 Glenview Drive (Tsigaris Pete and Gina, Owner). Council District 10. CEQA: Exempt.
- f. **H03-025. Site Development Permit** to legalize an existing rear porch enclosure for storage use by five multi-family residential units where reversion of six existing units to five units is proposed on a 0.14 gross acre site in the R-M Multiple Residence Zoning District, located at the eastside of South 3rd Street approximately 130 feet southeasterly of East Virginia Street (826 S 3RD ST) (Sanchez Karen L Et Al, Owner). Council District 3. SNI: Spartan/Keyes. CEQA: Exempt.
- g. **SP05-041. Special Use Permit** for demolition of one commercial building (O'Neal Building) and construction of a fence on a 0.11 gross acre site in the DC Downtown Primary Commercial Zoning District, located on the west side of S. First Street, approximately 150 feet north of San Fernando Street (79 S. 1st Street) (O'Neal Dan Et Al, Owner). Council District 3. SNI: None. CEQA: Use of Mixed Use Project and Century Center Plan Amendment Final EIR.

This concludes the Planning Director's Hearing for April 19, 2006. Thank you.

PLANNING DIRECTOR'S AGENDA ON THE WEB:
<http://www.sanjoseca.gov/planning/hearings/default.asp>
PUBLIC INFORMATION COUNTER
(408) 535-7800 CITY OF SAN JOSE